

1 Mar 24, 2020

2 SEAN F. MCVOY, CLERK

3 **UNITED STATES DISTRICT COURT**  
4 **EASTERN DISTRICT OF WASHINGTON**

5 BECKY L.<sup>1</sup>,

6 Plaintiff,

7 vs.

8 ANDREW M. SAUL,  
COMMISSIONER OF SOCIAL  
SECURITY,

9 Defendant.

No. 1:19-CV-03236-MKD

10 **ORDER GRANTING  
STIPULATED MOTION FOR  
REMAND PURSUANT TO  
SENTENCE FOUR OF 42 U.S.C. §  
405(g)**

11 **ECF Nos. 14, 16**

12 Before the Court is the parties' Stipulated Motion for Remand, ECF No. 16,  
requesting remand of the above-captioned matter to the Commissioner for  
additional administrative proceeding pursuant to sentence four of 42 U.S.C. §  
13 405(g). Attorney D. James Tree represents Plaintiff. Attorney Jeffrey E. Staples  
represents Defendant. The parties have consented to proceed before a magistrate  
14 judge. ECF No. 6.

15  
16  
17 <sup>1</sup> To protect the privacy of plaintiffs in social security cases, the undersigned  
identifies them by only their first names and the initial of their last names. *See*  
18 LCivR 5.2(c).

1 After consideration, **IT IS HEREBY ORDERED** that:

2 1. The parties' Stipulated Motion for Remand, **ECF No. 16**, is **GRANTED**.

3 2. The above-captioned case be **REVERSED** and **REMANDED** to the

4 Commissioner of Social Security for further administrative proceeding pursuant to

5 sentence four of 42 U.S.C. § 405(g).

6 On remand, the parties stipulate that the ALJ will:

7 (1) Reevaluate the evidence;

8 (2) Reevaluate Plaintiff's alleged symptoms;

9 (3) Reassess Plaintiff's RFC;

(4) Conduct a de novo hearing; and

(5) Issue a new decision.

10 ECF No. 16 at 1-2.

11 3. Judgment shall be entered for **PLAINTIFF**.

12 4. Plaintiff's Motion for Summary Judgment, **ECF No. 14**, is **STRICKEN**

13 **AS MOOT**.

14 5. Upon proper presentation, this Court consider Plaintiff's application for

15 fees and expenses under the Equal Access to Justice Act, 28 U.S.C. § 2412(d).

16 The District Court Executive is directed to enter this Order, **enter**

17 **Judgment**, forward copies to counsel, and **CLOSE THE FILE**.

18 DATED March 24, 2020.

19 s/Mary K. Dimke

MARY K. DIMKE

20 UNITED STATES MAGISTRATE JUDGE